

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the foregoing amendments and the following remarks.

In the Office Action, claims 87 and 104 were objected to under 35 U.S.C. §112. In response, those claims have been amended in order to clarify the claim language as suggested by the Examiner.

Currently, claims 71-106 and 108-116 remain pending in the present application, including independent claims 71 and 91. Claim 71 was rejected in the Office Action under 35 U.S.C. §103 over Little in view of Kammann. Independent claim 91, on the other hand, was rejected over Little and Kammann and further in view of Nistri. Reconsideration is respectfully requested.

Independent claim 71 in the present application is directed to a winder for winding a web and includes a plurality of winding modules positioned along a web transport apparatus. Each winding module includes a mandrel in operative association with a driving device for rotating the mandrel and a positioning apparatus that is configured to move the mandrel into and out of engagement with a conveyor belt. When a mandrel is placed in engagement with the conveyor belt, a nip is formed between the mandrel and the conveyor belt. The nip is used to contact a web being conveyed on the conveyor belt in order to initiate winding of the web on the mandrel.

As stated in the present application, the driving device for rotating the mandrel can, in one embodiment, accelerate the mandrel to a desired rotation speed prior to initiating contact between the mandrel and a web on the conveyor belt.

Little is directed to a wind-up device for sheet rubber stock. The sheet rubber stock is led to the wind-up apparatus upon a belt. The belt is wide enough to carry two rubber strips side by side. Consequently, two wind-up devices are located across the belt for engaging each rubber strip. Each of the wind-up units is carried in a frame and includes a wind-up roll contained in a hook-like formation 20.

In Little, when the device is to be started in operation, the wind-up roll is allowed to descend into contact with the belt. The end of the rubber sheet is started around the roll and the weight of the roll resting on the stock causes the roll to turn and the stock to be wound up. The hook-like formation of the end of the racks permits the shaft of the roll to move slightly as the thickness of the material on the roll increases.

In comparison to independent claim 71, as admitted in the Office Action, Little fails to disclose or suggest a driving device for rotating a mandrel. In this regard, Kammann was cited as teaching a web winder with a driving device in operative association with a mandrel. According to the Office Action, "it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Little with a driving device for center driving the mandrel as taught by Kammann to provide greater control over the winding process to permit improved winding of different webs."

The Office Action, however, fails to explain how the proposed combination of Little with Kammann provides any "greater control over the winding process". Applicants submit that the Examiner has failed to provide a *prima facie* case of obviousness. In particular, the Office Action has not provided a sufficient reason or explicit analysis of why Little should be combined with Kammann as asserted. Rejections on obviousness grounds cannot be sustained by mere conclusory statements. Instead, the reasoning for combining the references must be articulated with some rationale underpinning to support the legal conclusion of obviousness.

In the present application not only is there absolutely no reason to combine Little with Kammann as proposed, but, in fact, both references teach away from the combination. For instance, as stated above, Little teaches the use of "hook-like formations" for holding the wind-up roll in order to permit "the shaft of the roll to move slightly as the thickness of the material on the roll increases." If the driving device in Kammann, however, were substituted for the hook-like formations in Little, the shaft in Little would no longer move slightly making the entire apparatus inoperable.

Kammann, on the other hand, discloses a device for winding a web that can be operated in two modes. The first mode is described as central contact winding and the second mode is described as central gap winding. In stark contrast to independent claim 71 and in contrast to Little, Kammann nowhere discloses or suggests moving a mandrel in contact with a conveyor belt so as to form a nip in order to initiate winding of a web on the mandrel.

Kammann, instead, discloses a device for winding a web that can be operated in a first mode described as central contact winding and a second mode described as central gap winding. In central contact winding, a contact roller contacts the winding tube so as to form a film roll on the winding tube. In central gap winding, the contact roller is moved away from the winding tube so that the wound roll is formed on the winding tube at a distance from the contact roller.

Alternatively, when central gap winding is employed, the speed of the winding motor and thus the winding tube is controlled according to the measured tension of the web. Also, in central gap winding, the contact roller is controlled with respect to torque only insofar as to ensure the contact roller does not have an effect on the tension force in the web.

Kammann discloses that the above two modes of winding are completely independent from one another. Thus, Kammann does not disclose or suggest a combination of center and surface winding which would result if Kammann and Little were combined as asserted in the Office Action. In view of the above, Applicants submit that independent claim 71 patentably defines over the combination of Little and Kammann.

Independent claim 91 is directed to a process for unwinding a parent roll into multiple product rolls. Claim 91 as now amended requires that one of the mandrels of a winding module is accelerated to a desired rotation speed and is then positioned adjacent to a conveyor belt for forming a nip between the web transport apparatus and the mandrel. The tissue web is conveyed into the nip formed between the mandrel and the web transport apparatus so as to initiate winding of the web onto the mandrel.

In the Office Action, independent claim 91 was rejected under 35 U.S.C. §103 over Little and Kammann and further in view of Nistri. None of the above three cited references, however, disclose, suggest or teach accelerating a mandrel to a desired rotation speed and then positioning the rotating mandrel adjacent to a conveyor belt for forming a nip so as to initiate winding of the web onto the mandrel. Little, for instance, discloses a wind-up roll that is placed into contact with a belt. As stated in Little, the end of a rubber sheet is started around the wind-up roll for initiating the formation of a wound roll. In stark contrast to independent claim 91, however, Little does not disclose or suggest accelerating a mandrel to a desired rotation speed prior to placing the mandrel adjacent to a conveyor belt. Kammann and Nistri fail to even disclose placing a mandrel adjacent to a conveyor belt for forming a nip. Consequently, Applicants submit that claim 91 patentably defines over Little, Kammann and Nistri.

In addition to the independent claims, Applicants submit that the subject matter of the dependent claims are also further patentable over the prior art cited in the Office Action. For instance, the subject matter of claim 74, claim 75, claim 76, claim 77, claim 78, claim 79, claim 80, claim 81, claim 82, claim 84, claim 85, claim 86, claim 88, claim 89, and claim 90 also contain features that are not disclosed or suggested in the prior art cited against the claims in the Office Action. In addition, Applicants submit that claims 92, 94, 95, 96, 97, 99, 100, 101, 102, 104, 105, 106, 109, 110, 113 and 114 also define features and process steps that are also not disclosed, suggested or taught by the combination of references cited in the Office Action. Thus, Applicants reserve the right to pursue these claims independently of the other claims should it become necessary to appeal this case to the Patent Board of Appeals.

In summary, Applicants submit that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Should any issues remain after consideration of this Response, however, then Examiner Haugland is invited and encouraged to telephone the undersigned at his convenience in the hopes of expeditiously resolving any outstanding matters.

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Please charge any additional fees required by this Amendment to Deposit
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Date

Respectfully submitted,



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